

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO, EASTERN DIVISION**

DEREK MYERS,	:	
	:	
Plaintiff,	:	
	:	Case No. 2:19-cv-01458
v.	:	Judge Algenon Marbley
	:	Magistrate Judge Jolson
VILLAGE OF NEW HOLLAND, OHIO, et al.,	:	
	:	
Defendants.	:	

**PLAINTIFF'S WITHDRAWAL OF ITS  
FIRST MOTION FOR LEAVE TO FILE AMENDED COMPLAINT**

Now comes Plaintiff Derek Myers, by and through counsel, and respectfully withdraws his Motion for Leave to File an Amended Complaint originally filed on November 2, 2020.

Contemporaneously with the filing of this Withdrawal Notice, Plaintiff filed a new Motion for Leave to File an Amended Complaint. The reasoning in support of said new motion are more fully outlined in the Motion and supporting Memorandum in Support.

Respectfully Submitted,

/s/ Jud R. Mauger

**Wesp Barwell, LLC**

Attorneys at Law

Jud R. Mauger (0063375)

Jessica A. Barwell (0088716)

Gregory P. Barwell (0070545)

100 E Broad Street, Suite 2350

Columbus, OH 43215

Ph: (614) 456-0488

Fax: (614) 456-0488

Email: [jbarwell@wesplaw.com](mailto:jbarwell@wesplaw.com)

Email: [gbarwell@wesplaw.com](mailto:gbarwell@wesplaw.com)

Email: [jmauger@wesplaw.com](mailto:jmauger@wesplaw.com)

Attorneys for Plaintiff

**CERTIFICATE OF SERVICE**

I hereby certify that on this 4<sup>th</sup> day of December 2020, a true and accurate copy of the foregoing Document was served via email, to the following:

Paul-Michael La Fayette, Esq.  
MAZANEC, RASKIN & RYDER CO., L.P.A  
175 South Third Street  
Suite 1000  
Columbus, OH 43215  
(614) 228-5931  
(614) 228-5934 – Fax  
plafayette@mrrlaw.com  
*Counsel for Defendants Village of New Holland,  
Ohio, Clair "Butch" Betzko, William "Jason"  
Lawless, and Christopher Mosley*

*s/ Jud R. Mauger*

**Wesp Barwell, LLC**

Jud R. Mauger (0063375)